REMARKS

The Office action of February 17, 2009, has been carefully considered.

It is noted that claims 1-11 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1, 2 and 7-11 are rejected under 35 U.S.C. 103(a) over WO 03/076680 to Trakowski et al. in view of JP 10298727.

Claims 3-6 are rejected under 35 U.S.C. 103(a) over WO '680 in view of JP 727, and further in view of US 4912407.

In view of the Examiner's rejections of the claims, applicant has amended claims 1 and 11.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the instances of indefiniteness pointed out by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of claims 1-11 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references and particularly to WO '680, it can be seen that this reference discloses a device for hot dip coating metal strands.

JP 727 discloses a device for hot dip coating metal strands.

The Examiner combined these references in determining that claims 1, 2 and 7-11 would be unpatentable over such a combination. Applicant respectfully submits that neither of these references, nor their combination, teach a method and device for hot-dip coating a metal strand, as in the presently claimed invention. On page 3 of the Office Action the Examiner states that WO '680 discloses "at least one sensor (6, 6') for determining the position of the metal strand". Applicant disagrees. WO '680 clearly states that the element 6 is an electric power supply

means (see abstract). Furthermore, although JP 727 teaches position detectors 2, these detectors are located above the melt and within the electromagnets 3. There is no teaching of a position sensor arranged between the inductors and the metal strand, as in the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 1, 2 and 7-11 under 35 U.S.C. 103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

US 4,912,407 has also been considered. This reference adds nothing to the references discussed above so as to suggest the presently claimed invention. Therefore, it is respectfully submitted that the rejection of claims 3-6 under 35 U.S.C. 103(a) is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on May 18, 2009.

By: _____ Date: May 18, 2009
Klaus P. Stoffel